

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)
)
Plaintiff,) 8:23CR79
)
vs.)
)
KENNETH BREYER and) ORDER
ELAINE BREYER,)
)
Defendants.)

This matter is before the court on the defendant, Elaine Breyer's unopposed Motion to Continue Trial [55]. Counsel are in plea negotiation and the matter may be resolved without the necessity of a trial. Counsel for co-defendant Kenneth Breyer has indicated to the Court she does not object to the continuance. For good cause shown,

IT IS ORDERED that the Motion to Continue Trial [55] is granted, as follows:

1. The jury trial, **for both defendants**, now set for October 16, 2023, is continued to **December 18, 2023**.
2. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendants in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **today's date and December 18, 2023**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(6), (7)(A) & (B)(iv).

DATED: October 6, 2023.

BY THE COURT:

s/ Susan M. Bazis
United States Magistrate Judge